

Court of Appeals, State of Michigan

ORDER

Dept of Environment Great Lakes and Energy v Robert L Brotherton

Docket No. **356797**

LC No. **2017-008039-CE**

Christopher M. Murray, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the order dated March 15, 2021, and entered in the circuit court register of actions on March 18, 2021, is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(i) because it does not dispose of all claims in this case where it requires appellee to retain a professional wetland consultant to review appellant's concerns as to the "logging road site" at issue in this case, provides for that expert to prepare a remediation plan if necessary, and further provides that the circuit court will reserve the matter of whether to assess fines against appellee. At this time, appellant may seek to appeal the March 18, 2021 order by filing a delayed application for leave to appeal under MCR 7.205(A)(4). Alternatively, appellant may be able to timely file a claim of appeal after the circuit court enters a final order under MCR 7.202(6)(a)(i).





A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 13, 2021

Date


Chief Clerk